



Economic Impact Analysis Virginia Department of Planning and Budget

18 VAC 150-20 – Regulations Governing the Practice of Veterinary Medicine Department of Health Professions June 9, 2004

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.G of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007.G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the Proposed Regulation

The Board of Veterinary Medicine (board) proposes to amend two definitions, "Immediate and direct supervision" and "Surgery," for clarity.

Estimated Economic Impact

The current regulations define "immediate and direct supervision" to be "that the licensed veterinarian is immediately available to the licensed veterinary technician, either electronically or in person, and provides a specific order based on observation and diagnosis of the patient within the last 24 hours." The board proposes to amend "the last 24 hours" to become "the last 36 hours." The regulations list "failure to provide immediate and direct supervision to a licensed veterinary technician in his employ" as unprofessional conduct. Section § 54.1-3807 of the Code of Virginia lists unprofessional conduct as grounds for the board to suspend or revoke licensure. Thus, under the current language in the definition for "immediate and direct supervision," a veterinarian may have her license suspended or revoked if she allows a veterinary technician to

work with a patient when she has not provided a specific order based on observation and diagnosis of the patient within the last 24 hours.

This conflicts with language elsewhere in the regulations. Section 172.C of these regulations state that “a licensed veterinarian may delegate duties electronically to appropriate veterinary personnel provided the veterinarian has physically examined the patient within the previous 36 hours.” According to the Department of Health Professions (department), it was the board’s intent and has been their policy in practice to allow veterinarians to conduct immediate and direct supervision of a veterinary technician when the veterinarian has physically examined the patient within the previous 36 hours. Therefore, the proposal to amend “the last 24 hours” to become “the last 36 hours” in the definition will resolve the current conflict within the regulations, and will accurately describe the board’s policy in practice. To the extent that any interested individuals were unsure of the intent of the board, the proposal to amend the definition will be beneficial in that it will reduce confusion and the time associated with potential inquiries.

The current definition of “surgery” is as follows: "Surgery" means treatment through revision, destruction, incision or other structural alteration of animal tissue. Surgery does not include routine dental extractions or closures performed by a licensed veterinary technician upon a diagnosis and pursuant to direct orders from a veterinarian.” The board proposes to amend the second sentence of the definition to: “Surgery does not include routine dental extractions *of single-rooted teeth* or *skin* closures performed by a licensed veterinary technician upon a diagnosis and pursuant to direct orders from a veterinarian.” According to the department the addition of the words “single-rooted teeth” and “skin” are solely for clarification, and do not reflect any change in policy. The board is proposing to add these words due to some inquiries about the definition. The addition of these words will produce no cost, while saving the time associated with inquiry for both interested individuals and department staff.

Businesses and Entities Affected

The proposed amendments affect the 3,094 licensed veterinarians and 936 licensed veterinary technicians in the Commonwealth.

Localities Particularly Affected

The proposed regulations affect all Virginia localities.

Projected Impact on Employment

The proposed amendments will not affect employment levels.

Effects on the Use and Value of Private Property

The proposed amendments will not have a significant impact on the use and value of private property.